

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JAMES KLUPPELBERG,)	
)	
Plaintiff,)	13 CV 3963
)	
v.)	JUDGE LEFKOW
)	
JON BURGE et al.,)	
)	
Defendants.)	JURY TRIAL DEMANDED

**PLAINTIFF'S MOTION IN LIMINE NO. 25 TO EXCLUDE
NON-PARTY WITNESSES FROM COURTROOM DURING TRIAL**

Now comes Plaintiff, James Kluppelberg, by and through his counsel, Loevy & Loevy, and respectfully moves this Court for an order excluding non-party witnesses from the courtroom during trial. In support thereof, Plaintiff states as follows:

Federal Rule of Evidence 615 requires the exclusion of witnesses from the courtroom during testimony. Moreover, courts recognize that a witness who concludes his or her testimony and remains to observe some other part of the trial is prohibited from testifying in rebuttal. *United States v. Tedder*, 403 F.3d 836, 840 (7th Cir. 2005) ("If [the defendant] wanted this witness available for rebuttal, he should have kept him out of the courtroom."); *Coleman v. Cook County*, No. 09 C 739, 2010 WL 4284920, at *2 (N.D. Ill. Oct. 20, 2010). An order covering both of these circumstances would properly prevent the contamination of witnesses.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully moves this Court for an order excluding non-party witnesses from the courtroom during trial.

Respectfully submitted,

/s/ Jon Loevy
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CERTIFICATE OF SERVICE

I, Jon Loevy, an attorney, hereby certify that on October 7, 2016, I filed the foregoing via the Court's CM/ECF system and thereby served a copy on all counsel of record.

/s/ Jon Loevy